

BOARD OF SELECTMEN

TOWN OF TEWKSBURY
TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876

TODD R. JOHNSON, CHAIRMAN BRUCE PANILAITIS, Ph.D., VICE CHAIRMAN MARK S. KRATMAN, CLERK DAVID H. GAY JAMES D. WENTWORTH

TEL (978) 640-4300 FAX (978) 640-4302

MEETING MINUTES NOVEMBER 17, 2015

Chairperson Todd Johnson called the meeting to order at 7:00 p.m. Present for the Board of Selectmen meeting were Bruce Panilaitis, Vice Chair; Mark Kratman, Clerk; David Gay and James Wentworth, Board Members. Also present was Town Manager, Richard Montuori.

Historical Society—Line of March Project

A presentation was given by Stephen DeFrancesco, Line of March Committee Member and David Marcus of the Tewksbury Historical Society on a proposal for the Line of March Project. This would mark the route that 97 citizen soldiers of Tewksbury took on April 19, 1775 on the way to the battle of Lexington and Concord which was the start of the Revolution.

The project will consist of installing granite monuments along the route which will preserve and honor Tewksbury's past and educate residents about the Revolutionary War History here in town.

A brief history about Tewksbury on April 19, 1775 was given. An unknown rider left Charlestown at approximately the same time as Paul Revere. The alarm rider traveled through Medford, Winchester and Wilmington to get to Tewksbury. The rider awakes inhabitants Tewksbury on his way to alert Captain John Trull in North Tewksbury with notice the British Regulars are leaving Boston for Concord. Captain Trull fires three shots across the Merrimack River to alert Captain Varnum in Dracut. Captain Trull rides to Tewksbury Common to meet the Town's militia and minutemen. There were 100 of Tewksbury's militia and minutemen marched to Concord and engaged the British Regulars at Meriam's Corner. Tewksbury was one of the few Middlesex County towns on the march that day and played a large role in the "Shot Heard Round the World" and is Tewksbury's most significant historical event. A map of the route was displayed. Three other towns have markers for the Line of March, but they are metal.

A description of the monument was explained. The dimensions will be 10" x 10" x 7" buried 3 feet and inscribed "Line of March, April 19, 1775, Tewksbury Militia. These will be located within the Town's 40 foot right of way and spaced approximately 1,500 feet apart. The Historical Society currently has sufficient funds to purchase and install the markers. They are not requesting any public funds. The Society sought funding from the Community Preservation Fund, but did not qualify. The Society will continue to raise private funds to pay for educational bronze plaques that would be attached to the markers.

The progress to date on the project is the Historical Society:

- Met with the Tewksbury Historical Commission and received their endorsement
- Met with the Director of Public Works and received his endorsement
- Met with property owners along the route and received letter of project support
- Received a hard quote for engraving and installing the monuments

The proposed schedule is to produce and install the markers within 90 days of a notice-to-proceed to the Monument Company. The goal of the Historical Society will be to have the first few markers installed before April 19, 2016. Proposed locations of the markers were presented in picture form to the Selectmen.

The Historical Society is seeking the endorsement of the Board of Selectmen and approval for the installation of the nine stone markers within the Town's right-of-way to designate the route taken by Tewksbury's militia on April 19, 1775. Dig Safe will be called prior to installation. A professional stone mason will install the markers. Written endorsement from all residents at the proposed locations has been received by the Historical Society.

The Director of the Department of Public Works, Brian Gilbert, worked with the Historical Society; to be sure snow plows would not damage the markers. The markers will be on town property.

Comments from the Selectman were from Mr. Gay, who was very impressed by the research; Mr. Wentworth who felt this would be a good student trip for the schools; and from Mr. Panilaitis who asked if there would be a to tie the Line of March into the events of April 19th. Mr. Marcus noted one member is meeting with Lexington Minutemen and would like to have a ceremony and regular ceremony.

Mr. Marcus also noted that when visiting the homeowners on the route, almost no one knew they lived on an historic route. This is wonderful history and there are not very many towns that can say they were involved in the battle (of Lexington and Concord).

Mr. Kratman asked if the markers could be located further in as there is a real possibility sidewalks may be installed. Obviously along the stone walls the markers can be installed as close as possible. Mr. Marcus noted a pathway may be a better alternative instead of a sidewalk to create a more authenticated look.

Town center monument should be located on the town center. Mr. Panilaitis took note to bring this to the Town Center Master Plan Committee.

MOTION: Mr. Panilaitis made the motion to approve the Line of March Project subject to the town manager's approval on installation of the markers; seconded by Mr. Gay and the motion carried 5-0.

Residents

There were no residents present who wished to come forward to speak.

New Business

Rogers Common

This is for a rent increase, and the properties will remain on the Affordable Housing Inventory.

MOTION: Mr. Panilaitis made the motion to approve the rent increase for Rogers Common as presented; seconded by Mr. Wentworth and the motion carried 5-0.

Town Manager

S&P Bond Rating

Mr. Montuori reported the town sold \$20M in 2015 bonds on Monday, November 9 at 12 noon. With the sale the bond rating for Tewksbury was upgraded to AA+ from AA. Interest rates ranged from 2.17% to 2.89%. The true interest rate is 2.9%.

Bond issue \$12.5M for water treatment plant \$13.1M was authorized at Town Meeting. Bids came in this spring and \$10.5M was the lowest bid.

The town refinanced several debts and saved \$1.33M. These debts included the senior center, water mains and sewer improvements. Budgetary savings at senior center is part of the debt exclusion and will not affect taxes. The improved bond rating played a large part in the town's savings.

The town was awarded an improved rating based on strong policies from the Board of Selectmen and strong management performance grades. Mr. Montuori strongly stated the town should take great pride in this grade. The town has also had a solid budget performance by putting 3-5% in the stabilization fund and putting some money into the OPEB fund even if it is not enough. The town also has adequate cash on hand.

The one item keeping Tewksbury from AAA rating is due to OPEB debt.

Mr. Montuori again strongly states the Board should be proud of the decisions they have made and policies initiated.

It was noted this is the highest bond rating the town has ever achieved under Mr. Montuori and his financial team stewardship.

Mr. Johnson also noted that the day to day management and collaboration with the Selectmen gave the highest rating in the management category.

MOTION: Mr. Wentworth made the motion to execute the Continuing Disclosure Certificate, Loan Documents, Signature of Award of Non Litigation Certificate, Certificate as to Non Arbitrage and Tax Compliance, and the various bond notices; seconded by Mr. Gay and the motion carried 5-0.

Mr. Montuori also noted for the record a summary of certificate as the bonds totaled \$20,820,000 General Obligation Municipal Purpose Loan of 2015 Bonds to be issued by the Town. The Town Treasurer advertised for the bonds pursuant to Massachusetts General Laws pursuant to Chapter 44, Sections 7, 8 and 21A, of the General Laws, and any other enabling authority, is hereby authorized the issuance and sale of General Obligation. To also authorized the issuance and sale of General Obligation Municipal Purpose Loan for the purposes of current refunding of the \$8,820,000 outstanding principal. The Bonds will be dated as of December 1, 2015, payable on February 15 in each year as outlined. The Bonds shall be in the denomination of \$5,000 and will mature February 15, 2025. The debt service is outlined in the certificate. The bid is awarded to Janney Montgomery Scott LLC to purchase the Bonds at a price of \$21,968,708.79 resulting in a true interest cost rate of 2.7989926%. The Town Treasurer to be authorized to execute and deliver a Continuing Disclosure Certificate generally as described in the Official Statement. The Bonds should be issued pursuant to the vote tonight and may be secured by insurance or by letter or

lines of credit or other credit facilities. The Board should certify that the document is a true copy of the Vote adopted at Town Meeting and presented to night, and signed by the Town Clerk and the Town Treasurer.

The official vote was presented as follows:

TOWN OF TEWKSBURY, MASSACHUSETTS CERTIFICATE RELATING TO CERTAIN MINUTES OF A MEETING OF THE BOARD OF SELECTMEN

Dated: December 1, 2015

We, the undersigned members of the Board of Selectmen of the Town of Tewksbury,
Massachusetts (the "Town"), hereby certify that the following is a true copy of excerpts from the minutes
of a regular/special meeting of said Board duly called and held on November 17, 2015, ata.m/p.m.
at 464 Main Street (the Temporary Town Hall) in the Town of Tewksbury, Massachusetts (the "Meeting"),
pursuant to due and proper notice of date, time, place and purpose of the Meeting given to each Selectmen.
The Meeting was attended by () of the five (5) members of the Board of Selectmen,
constituting a quorum, and voting throughout, and the following vote was duly adopted by vote of
() yeas and () nays (the "Vote").

"The Meeting considered the \$20,820,000 General Obligation Municipal Purpose Loan of 2015 Bonds (the "Bonds") to be issued by the Town. The Town Treasurer reminded the Meeting that it had been decided that the Bonds should be advertised for sale by circularizing to leading investment bankers and banks situated in New England, New York, and other financial centers. That it had been decided that the Bonds should be sold to Janney Montgomery Scott LLC. She reported that she had so advertised the Bonds for sale by distributing a Preliminary Official Statement and Notice of Sale dated November 5, 2015, and a final Official Statement dated November 16, 2015, prepared all in accordance with SEC Rule 15c2-12. The following were all the bids received for the purchase of said Bonds (with a preliminary estimated par amount stated in the Preliminary Official Statement and Notice of Sale of \$21,140,000), each bid including interest accrued to date of delivery, namely,

<u>Bidder</u>	Par Amount	True Interest Cost
Janney Montgomery Scott LLC	\$21,140,000	2.795028
J.P. Morgan Securities LLC	\$21,140,000	2.824039
Fidelity Capital Markets	\$21,140,000	2.872592
PNC Capital Markets	\$21,140,000	2.883130
Roosevelt & Cross, Inc.	\$21,140,000	2.886635
Bank of America Merrill Lynch	\$21,140,000	2.886937
Robert W. Baird & Co., Inc.	\$21,140,000	2.893203

Thereupon, after full discussion and upon motion duly made and seconded, it was

"VOTED:

That under and pursuant to Chapter 44, Sections 7, 8 and 21A, of the General Laws, and any other enabling authority, there is hereby authorized the issuance and sale of General Obligation Municipal Purpose Loan of 2014 Bonds (the "Bonds") of the Town for the purposes of (i) current refunding the \$8,820,000 outstanding principal amount of the

Town's \$14,420,000 General Obligation Bonds dated February 15, 2006 (the "Refunded Bonds") which were issued for the purpose as described on Exhibit A, attached hereto and made a part hereof; (ii) financing the costs of the water treatment project, as described on Exhibit A (the "New Money Bonds"); and (iii) to finance the costs of issuance of the Bonds;

That all action taken by the Town Treasurer in advertising for public sale of Bonds of the Town authorized under Chapter 44, Sections 7, 8 and 21A of the Massachusetts General Laws, as amended and supplemented, and by votes of the Town duly adopted as further described in Exhibit A attached hereto, which by reference thereto is hereby incorporated in and made a part of the minutes of this meeting and this vote, and, in that connection, preparing and distributing a Preliminary Official Statement dated November 5, 2015 and a final Official Statement dated November 16, 2015, be and hereby is ratified, confirmed, approved and adopted;

That the Bonds shall be dated as of December 1, 2015, payable on February 15 in each of the years as follows: \$1,110,000 in 2017; \$1,165,000 in 2018; \$1,165,000 in 2019; \$1,160,000 in 2020; \$1,165,000 in 2021; \$1,170,000 in 2022; \$1,145,000 in 2023; \$1,155,000 in 2024; \$1,155,000 in 2025; \$1,040,000 in 2026; \$1,000,000 in 2027; \$995,000 in 2028; \$990,000 in 2029; \$985,000 in 2030; \$975,000 in 2031; \$965,000 in 2032; \$960,000 in 2033; \$950,000 in 2034; \$945,000 in 2035; and \$625,000 in 2036.

That the Bonds shall be in the denomination of \$5,000 or integral multiples thereof, and shall be numbered consecutively; and subject to the provisions of this Vote, the Bonds shall be in such form as the Treasurer and a majority of the Selectmen shall determine or approve by their execution of the Bonds;

The Bonds maturing on and after February 15, 2025 are subject to redemption prior to maturity, at the option of the Town, on and after February 15, 2024, either in whole or in part at any time, and if in part, by lot within a maturity, at par, plus accrued interest to the date set for redemption.

That the Bonds shall originally be issued by means of a book-entry system evidencing ownership and transfer of the Notes; and in the event of failure or termination of the book-entry system, U.S. Bank National Association, Boston, Massachusetts, shall issue replacement bonds in the form of fully registered certificates and shall act as Bond Registrar, Transfer Agent and Paying Agent, therefore;

That the Bonds maturing in each respective year shall bear interest payable on February 15 and August 15 in each year, commencing August 15, 2016, at the respective rates per annum as follows:

	Principal	Interest		Principal	Interest
Year	Amount	Rate	Year	<u>Amount</u>	<u>Rate</u>
2017	\$1,110,000.00	2.000%	2027	\$1,000,000.00	3.000%
2018	\$1,165,000.00	3.000%	2028	\$995,000.00	3.000%
2019	\$1,165,000.00	4.000%	2029	\$990,000.00	3.000%
2020	\$1,160,000.00	5.000%	2030	\$985,000.00	3.000%
2021	\$1,165,000.00	5.000%	2031	\$975,000.00	3.000%
2022	\$1,170,000.00	2.000%	2032	\$965,000.00	3.125%
2023	\$1,145,000.00	5.000%	2033	\$960,000.00	3.125%
2024	\$1,155,000.00	5.000%	2034	\$950,000.00	3.250%
2025	\$1,155,000.00	4.000%	2035	\$945,000.00	3.250%
2026	\$1,040,000.00	4.000%	2036	\$625,000.00	3.375%

That the bid of Janney Montgomery Scott LLC to purchase the Bonds at a price of \$21,968,708.79 resulting in a true interest cost rate of 2.7989926%, being the best bid received for the Bonds, bearing interest at the lowest true interest cost, is hereby accepted, and the Town Treasurer be and hereby is authorized to deliver the Bonds to the aforesaid purchaser or order against payment therefore;

That the Treasurer be, and hereby is, authorized to execute and deliver a Continuing Disclosure Certificate generally as described in the Official Statement relating to the Bonds and to incorporate by reference thereto in the Bonds such Certificate, both in such form as the signatories may approve by their execution thereof, and the obligation of the Town contained in such Continuing Disclosure Certificate, is hereby approved and confirmed; and

That the Bonds to be issued pursuant to this vote may be secured by insurance or by letter or lines of credit or other credit facilities in accordance with the provisions of Chapter 44, Section 22C, of the General Laws, as the Treasurer or Finance Director, as appropriate, shall determine, and the Board of Selectmen, the Treasurer and the Town Clerk be and hereby are, and each of them severally is, authorized to contract for and purchase, if necessary, any policy of municipal bond insurance with respect to the Bonds, and each such officer may take all such action, and execute and deliver such certificates, receipts, or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing Vote."

We hereby certify that the foregoing is a true copy of the Vote adopted at the Meeting as appearing in the minutes thereof; that the Meeting was open to the public; that notice stating the date, place, time and purpose of the Meeting was filed with the Town Clerk of the Town of Tewksbury and a copy thereof was posted in the Town Clerk's office or on the principal official bulletin board of the Town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the Meeting and remained so posted at the time of the Meeting; that no deliberations or decisions in connection with the Vote were taken in executive session; and that the official record of the Meeting was made available to the public promptly and will remain available to the public, all in accordance with Chapter 39, Section 23B, of the General Laws, as amended (the "open-meeting law").

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We further certify that () members of the Board of Selectmen were present and voting throughout the Meeting and that the aforesaid Vote has not been in any respect amended or rescinded but still remains in full force and effect as of the date hereof.				
Approved:				
Town Treasurer				
-				
-				
- I	Board of Selectmen			
I, the undersigned Clerk of the Town of Tewk and my official signature for the purpose of authentic the Town Treasurer, and of certifying that each has b and is presently acting in his or her respective office.				
I further certify that the aforesaid Vote has no remains in full force and effect as of the date hereof.	t been in any respect amended or rescinded and			
Town C	lerk			
(TOWN	SEAL)			

EXHIBIT A

\$12,500,000 Water Treatment Plant Bonds being issued as a portion of the \$13,100,000 Water Treatment Plant Bonds, authorized under Article 21 of the Warrant at the Annual Town Meeting held on May 4, 2015, pursuant to Chapter 44, Section 8(4) of the Massachusetts General Laws, as amended and supplemented for the purpose of financing the cost of construction and engineering for the renovation and upgrade of the Town's water treatment plant. The Bonds are not being issued to renew or refund other notes, bonds or other obligations issued by the Town except for the 2006 Refunded Bonds described below. To date no notes, bonds or other obligations have been issued against this authorization.

The 2006 Refunded Bonds:

The Bonds are being issued, in part, for the purpose of current refunding the \$8,820,000 remaining outstanding bonds of a total of \$14,420,000 General Obligation Bonds, dated February 15, 2006 and authorized as follows:

(a) \$11,000,000	authorized pursuant Massachusetts General Laws, Chapter 44 s. 8(15) and a vote of the Town passed on October 1, 2002 for sewer construction purposes;
(b) \$2,500,000	authorized pursuant to Massachusetts General Laws, Chapter 44 s. 7(3)(3A) and a vote of the Town passed on October 5, 2004 for senior center purposes;
(c) \$620,000	authorized pursuant to Massachusetts General Laws, Chapter 44 s. 8(5) and a vote of the Town passed on October 5, 2004 for water purposes; and
(d) \$300,000	authorized pursuant to Massachusetts General Laws, Chapter 44 s. 8(4) and votes of the Town passed on October 5, 2004 for water purposes.

MOTION: Mr. Panilaitis made the motion to approve the vote as presented and the certificate associated with the lending with the specific language as presented tonight by the Town Manager and is noted in the record above; seconded by Mr. Kratman and the motion carried 5-0.

Zoning Bylaw Committee

Requesting to form a committee of five members to take on the task of reviewing and updated the Zoning Bylaws. Funds were set aside to hire a consultant to help with the project, but would like a committee to oversee the work. Committee would consist of a Planning Board member, Board of Selectmen member, and three members of the Community at Large. There currently is up to \$50,000 to hire a consultant. Mr. Panilaitis felt this is a necessary step to formalize the committee in the mission of the Economic Development Committee.

MOTION: Mr. Wentworth made the motion to establish the Zoning Bylaw Committee;

seconded by Mr. Gay and the motion carried 5-0.

MOTION: Mr. Panilaitis made the motion to make the recommended deletion of the amount of

funding to spend \$50,000 on the consultant as indicated by the Town Manager;

seconded by Mr. Kratman and the motion carried 5-0.

The Town Manager will post for the committee positions. Mr. Johnson encouraged a member of the Selectmen, and he did express interest in the Selectmen representation. This can be addressed when appointment are made.

Open Space and Recreation Plan Review Committee

The funds were approved at town meeting to update the plan and the Town Manager is requesting to move this committee forward. The primary mission of the committee is to update the Open Space and Recreation Plan and implement it as it is currently expired. Kyle Boyd will staff the committee.

MOTION: Mr. Gay made the motion to establish the Open Space and Recreation Plan Review Committee; seconded by Mr. Wentworth and the motion carried 5-0.

The Town is now seeking eight residents to serve the community.

Senior Town Counsel Invoice—October, 2015

The Town Manager will post for these positions.

MOTION: Mr. Gay made the motion to approve the invoice for Senior Town Counsel in the

amount of \$8,805.00 for the month of October 2015; Mr. Kratman seconded, and the

motion carried 5-0.

Other business

The Town was awarded four hazard mitigation awards from FEMA 1) \$300,000 Shawsheen and Heath Brook roadway for flooding improvements; 2) \$276,525 for South Street and Bridge Street due to flooding; 3) \$209,250 for slip lining and install protection for a culvert on River Road; 4) \$387,413 for sewer pump station generators. DPW applied for these grants over last couple years and was approved this last month.

Town Hall move confirmed to begin on Monday. There will be some down time during transition; but the hope is to be live with audio/visual at the next Selectmen's meeting and to hold a ribbon cutting on Thursday, December 10th. The Town Hall is always open and residents can come through at anytime to view the building.

Opened bids for police station lot and MDR was only bidder at \$165,000, which is below the assessed value but is due to the riverfront and parking. Bid came in past week and wanted to approve the award to MDR and to sell the land to them.

MOTION: Mr. Panilaitis made the motion to approve sale of the old police station lot as stated by

the Town Manager; Mr. Kratman seconded, and the motion carried 5-0.

MOTION: Mr. Panilaitis made the motion to authorize the Town Manager and the Chair of the

Board of Selectmen to execute the Purchase and Sale or any documents relative to the

sale of the old police station lot; Mr. Gay seconded, and the motion carried 5-0.

Mr. Montuori also stated he has signed a contract with Merrimack Environmental at \$142,000 (lowest out of five bids) to demolish the old police station. Price could be more or less due to amount of hazardous material. The budget is at \$150,000. Should take place over next couple weeks.

On the Pike House the town has not received any bids except from the Historical Society to move the building; but they have no money and no place to put the building. Group One for the Toyota dealership will purchase the land. The Town will go to the Historical Committee for a waiver in the demolition bylaw instead of waiting nine months. This has been well advertised in the press and there have been no bidders on the house. The house has been completely rehabilitated a number of times and does not still hold the majority of its historic value.

Outstanding Minutes: October 27, 2015 (regular and executive session), November 3, 2015 (regular session)

None presented—still editing

Board Member Reports

Mark Kratman

- Beautification no report
- · Veterans Day ceremony was very good and it was great to see the community support at the service

David Gay

- NMCOG doesn't meet until tomorrow night
- LRTA will meet on December 3rd
- Public Events and Celebrations Committee met tonight, and plans are moving along smoothly (met tonight so no updates); the Tree Lighting will be held on December 4 at 6:00 p.m. and end at 7:30 p.m.
- Mr. Montuori asked Mr. Gay to convey at tomorrow night's NMCOG meeting her efforts on the regional dispatch center and help on pipeline

James Wentworth

• Annual meeting on Thursday of the Community Preservation Committee; little of \$200,000 from the surcharge will be coming from state

Bruce Panilaitis

- Thanked all for Veteran's Day ceremony and Derek Welch for his speech at the service
- Economic Development Committee met on November 9th, and next meeting will be on November 30th and will focus on outreach to businesses, website development, permitting and regulations in certain areas of town

- Draft of the Town Center Master Plan was presented last Thursday evening with about 40 residents present for the event; it was a spirited discussion and positive experience; the Cecil Group will come back with and edited presentation for the team to review
- Attended a conference Municipal Partnership hosted by the Lieutenant Governor and spoke to Jay Ash regarding Route 38; The Baker administration has been very interested in interacting with municipalities; the message is positive for Tewksbury
- Middlesex 3 Annual Meeting, economic development regional organization, US Representative Tsongas and US Representative Moulton both spoke at event
- Attended Pipeline Coalition meeting and brought more information forward; legislation is starting to move through and just suggested all to keep eyes on, but no action to take at this time

Todd Johnson

- Offered comment and attended a recognition at Emerald Court for a Veteran's event and took a moment to recognize the residents there who served our country
- Night of December 4 Festival of Trees at the Public Library
- Wished residents best wishes for the Thanksgiving holiday and to travel safely

The next regular scheduled Selectmen's meeting will be held on December 1, 2015 at 7:00 p.m. at the newly renovated Town Hall meeting room.

Adjournment

MOTION: Mr. Kratman made the motion to adjourn at 8:37 p.m.; Mr. Panilaitis seconded, and the motion carried 5 to 0.

Approved by the Board of Selectmen on December 15, 2015

Board of Selectmen November 17, 2015 Page 12 of 12